

REMARKS

This Amendment is responsive to the Final Office Action dated September 8, 2004. The claim amendments included herein are merely clarifying amendments and are not meant to change the intended scope of the claims. Thus, the amendments present the rejected claims in better form for consideration on appeal, and should be entered in due course. Moreover, the amendments are manifest, requiring only a cursory review by the Examiner, thereby providing additional ground for their entry.

Claims 1-17 were pending in the application. In the Office Action, claims 1-17 were rejected. In this Amendment, claims 1 and 14 have been amended. Claims 1-17 thus remain for consideration.

Applicants submit that claims 1-17 are in condition for allowance and request reconsideration and withdrawal of the rejections in light of the following remarks.

§103 Rejections

Claims 1-6 and 14-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mouly (U.S. Patent No. 5,878,033) in view of Moline (U.S. Patent No. 6,067,566).

Claims 7-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mouly in view of Moline as applied to claim 1 and further in view of Cheng et al. (U.S. Patent No. 6,157,949).

Claims 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mouly in view of Moline, in view of Cheng et al. and further in view of Boyle (U.S. Patent No. 5,864,854).

Claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Mouly in view of Moline and further in view of Lindholm (U.S. Patent No. 6,345,313).

Applicants respectfully submit that the independent claims (claims 1 and 14) are patentable over Mouly, Moline, Cheng, Boyle and Lindholm.

Applicants' invention as recited in the independent claims is directed toward a method for determining access times of a plurality of segments of a plurality of broadcast objects and to a method for transmitting a plurality of segments. Each of the claims recites "each of the plurality of said segments of said plurality of broadcast objects are...segmented into smaller units in order to allow overlapped transmission or parallel transmission." Supporting disclosure can be found in the specification at, for example, page 18, lines 8-17.

Since, Mouly, Moline, Cheng, Boyle and Lindholm do not disclose "each of the plurality of said segments of said plurality of broadcast objects are...segmented into smaller units in order to allow overlapped transmission or parallel transmission," Applicants believe that claims 1 and 14 are patentable over Mouly, Moline, Cheng, Boyle and Lindholm – taken either alone or in combination – on at least this basis.

Furthermore, since dependent claims inherit the limitations of their base claims, dependent claims 2-13 and 15-17 are believed to be patentable over Mouly, Moline, Cheng, Boyle and Lindholm for at least the same reasons discussed in connection with the independent claims 1 and 14.

Applicants submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

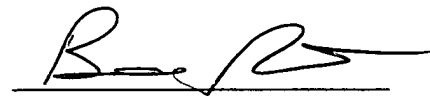
The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

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